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State Board of Prison
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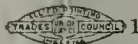
TO THE

GOVERNOR AND TWELFTH LEGISLATIVE
ASSEMBLY

January 2, 1911

STATE BOARD OF PRISON COMMISSIONERS:

Edwin L. Norris, Governor, President.
Albert J. Galen, Attorney General;
A. N. Yoder, Secretary of State, Secretary.



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REPORT OF THE State Board of Prison Commissioners.

Helena, Montana, January 2nd, 1911.

To His Excellency, Edwin L. Norris, Governor, and to the
Twelfth Legislative Assembly of the State of Montana:

Gentlemen:—In all likelihood no subject of greater and immediate importance to the State of Montana will be called to your attention than that of the State Prison located at Deer Lodge. Provision should be made for settlement with the former contractor, Conley & McTague Company, and also for additional buildings, walls and equipment. Not only will it be necessary to make provisions for properly housing the prisoners and adding to the extent of the walls, but also, some definite plan should be arrived at respecting their employment.

Rights of Former Contractor.

The rights of the former prison contractor, Conley & McTague company, must be by you investigated and considered to the end that they shall be paid fair and just compensation for their property used in connection with the State Prison, which the State took over and has held and used under lease since the 8th day of June, 1908. As the subject of the valuation of such property has been investigated and considered by a committee appointed by the last Assembly, and further by a special committee designated by a legislative resolution, composed of William Lindsay, Chairman; Herbert Strain, Thomas D. Lockman, Martin Maginnis, and Lewis Heitman; and also, by the State Board of Prison Commissioners, your work in determining the amount of money which should be appropriated to compensate Conley & McTague for the fair value of their property should not be difficult.

On the 8th day of June, 1908, this Board discontinued the contract system, took the prison and all prison property over for the State, and appointed Frank Conley as State Warden. All of the proceedings in this connection can be readily found in the files and records of this Board.

The Eleventh Assembly appointed a joint committee to investigate the question of the conduct of the State Prison and the obligation of the State to the former contractors, the report of which said committee is in words and figures as follows, to-wit:

“To the Honorable Senate and House of Representatives of the State of Montana.

“Gentlemen—We, your Committee, duly and regularly appointed, pursuant to the resolution to investigate the business affairs of the State Prison at Deer Lodge, Montana, and to make recommendations as to its control, conduct and management, do hereby report as follows:

After a full and careful examination of the actions of the Prison Board in their consideration of the bids offered for the care and maintenance of the prison by contract, their refusal of all bids and assuming full control by the State of the prison, its business and affairs, we have no hesitancy in commending their judgment and discretion from a point of interest to the taxpayers of the State. A careful perusal of the facts and an inspection of the Prison, develops the following conditions:

An exhaustive inventory of the property owned by the former contractors, Conley & McTague, compiled by the Secretary of the Prison Commission as to the items, but not as to prices, was furnished by the Commission's Secretary. We found no items listed unnecessary for the proper conduct of the Prison.

To intelligently determine the true and fair value of this property would require the undivided time of the Committee for a much longer period than that available to your Committee, and we recommend that the Legislature name the following five persons, William Lindsay, Glendive; C. J. McNamara, Helena; Martin Maginnis, Helena; George Stanton, Great Falls; and Thomas Lockman, Mis-

soula; they to constitute a Committee with authority to act in determining the values, to subpoena witnesses, and to employ a secretary, the committee and the secretary to be paid from the General Fund at a rate of Five Dollars per day and the necessary expenses. This committee to report in full their findings to the Board of Prison Commissioners as to the value of the property in question, and the Board of Prison Commissioners in turn to report to the next session of the Legislature.

Especial attention is asked of the Legislature in consideration of the deplorable absence of space and accommodation for the present number of prisoners under sentence and care of the State. On February 13th, last, there were under sentence six hundred and ten prisoners, seventy-five of which they were unable to care for within the Prison, and as each new convict enters one must be taken from within, that room may be made for the new arrival. The warden is at present caring for this overflow as best he can through a trusty system and emergency buildings on lands owned by Conley & McTague. Your Committee finds the State wholly without funds to meet this urgent need and demand for space, and as the inmates have increased in number the past two years, one hundred and forty-seven, your Committee believes the increase for the next two years will be fully two hundred. With an overflow of seventy-five at present, and a further increase of two hundred before another session of the Legislature, some action must be taken at once.

The State being without funds, your Committee urgently recommends the following solution of this dilemma: That after an appraisal of the property by the committee, we recommend that the Prison Board at once advertise for bids for the care and maintenance of the convicts of the State for a period of two years, the successful bidder or bidders to pay over to Conley & McTague the appraised value of their property necessary for the proper conduct of the prison, and the Prison Board to recommend to the next Legislature a purchase by the State of this property, and the State to then assume control, as it is expected the State Treasury will then be in a condition to meet the necessary demands for additional space and equipment

for the State handling of the institution. The successful bidder or bidders to contract also to care for the overflow of the prison in a safe and satisfactory manner. In case no bidder or bidders comply with these requirements, then in that event, the Prison Board to be authorized to let to Conley & McTague for a term of two years, a contract for the care and maintenance of the State convicts and to provide for the overflow at a price of five cents advance over the present price of 44.4 cents per day per inmate. Conley & McTague in turn to give free to the State all that property within the prison walls, at the termination of this contract. It is estimated that this property will inventory in the neighborhood of \$25,000.00, which together with the care of the overflow makes this the most desirable method to pursue from a purely practical business point of view.

In considering the water supply for the penitentiary your Committee found a private system in use owned by Conley & McTague.

We also found an available supply in the system now used but owned by Conley & McTague. Should they not be willing to accept a fair consideration for the property, then, and in that event, condemnation proceedings should be instituted.

Your Committee desires to call especial attention to the fact that no labor is provided for convicts sentenced to hard labor, and are fully convinced for the best interests of the State that this matter should be speedily remedied. We call your attention to convicts entering the penitentiary for a term of years, and through enforced idleness, at the expiration of their terms, become confirmed idlers.

We would recommend that the Prison Board inquire into the manufacture of binding twine with the end in view of reporting to the next Legislature, together with the details of this industry, that arrangements may be made for its manufacture by the convicts. This will interfere in no way with the labor of the State as nothing of this nature is at present produced within its boundaries.

We recommend that while the penitentiary remains under the control of a warden that their (prison guards')

salary be raised from \$50.00 to \$75.00, that competent men may be obtained.

This Committee wishes to especially commend the able and efficient management of the warden, Frank Conley.

We find the sanitary conditions of the very best; strict economy is observed in the handling of the prison; the general health of the prisoners is excellent.

Respectfully submitted,

NORTON,
Chairman."

Thereafter it appearing that George H. Stanton and C. J. McNamara, who were named by the Legislative Assembly as members of such special investigating committee could not act, the Board of Prison Commissioners on the 14th day of June, 1909, duly and regularly named Lewis Heitman and Herbert Strain to act on said committee in their place and stead. Thereupon said committee duly and regularly organized and appointed H. K. Howry as Secretary, and proceeded to make investigation and perform the duties incident to their trust in accordance with the provisions of such legislative resolution. And on the 18th day of October, 1909, said committee having completed all of its investigations and labor in the premises made a written report to the State Board of Prison Commissioners, which is in words and figures as follows, to-wit:

"Helena, Montana, October 18, 1909.

To the Board of Prison Commissioners for the State of Montana, Helena.

Sirs—The Prison Appraisal Committee, appointed upon the recommendation of a Joint Committee of the Tenth Legislature, begs to report as follows:

This Committee having been created for the purpose of appraising certain property at the State Penitentiary, Deer Lodge, belonging to and owned by the Conley & McTague Company, and claimed to be necessary in the proper conduct of the Prison, first met on June 16th, 1909, at Helena, and completed an organization by the election

of William Lindsay as Chairman and the appointment of H. K. Howry as Secretary.

Your Commission having furnished this Committee with an inventory of the property above referred to, and upon your recommendation and advice, such inventory having been accepted as correct as to quantities of goods listed, the Committee visited Deer Lodge for the purpose of inspecting the property. Owing to the multiplicity of articles listed in the inventory it was only possible for the Committee to carefully look over the larger and more important items; but an inspection was made here and there of the small items, that a knowledge might be gained of the condition and worth of such articles.

To assist the Committee in arriving at and determining a fair valuation for the buildings to be appraised, the services of an expert, W. T. Perham, were secured.

The Committee held several meetings at which it went carefully into the detail of the work in hand, and believes as a result of its efforts, the appraised values of property here set down, are fair to the State and fair to the Conley & McTague Co.

We appraise the value of the property owned by the Conley & McTague Company, within the Prison walls, necessary to the proper conduct of the Penitentiary, as follows:

Kitchen and Bakery Building, \$7490.06, less	
\$1000.00 paid by State on account of same....	\$6490.06
Additions to Power House	449.84
South Vestibule	26.25
Sewer Basin	59.10
Furnishings, as listed on pages 1 to 107, inclusive, of Inventory	19745.39
Property outside Prison Walls and on State Land:	
Trusties Bunk House	596.04
Mess House and kitchen	1258.50
Heating System in above Buildings	291.00
Brick Machine	600.00
Side Walks	100.00
Property in yard and Trusties Ex. House.....	201.65
Total	<u>\$29817.83</u>

The Committee respectfully recommends that the above property be purchased of the Conley & McTague Company, by the State, at the appraised value.

The Committee, in its appraisal of the clothing worn by the prisoners, and on hand, at the time the State took over the Prison from the contractor, Conley & McTague Company, deducted from the inventoried amount as a credit due the State, the sum of \$2077.44, representing clothing outfits for the 192 convicts, \$10.82 each, at the time the Federal Government turned the prison over to the State and when Conley & McTague first took charge; the \$10.82 is the inventory value of stripes suits as put down by the Conley & McTague Company. This reduction appearing to be a reasonable one, the Committee believes that the State should have credit, also, for certain furnishings on hand when the Federal Government relinquished control of the Penitentiary, basing the values upon the appraisal figures of the Committee and making the computation at so much per capita. While it is impossible at this time to set down exact figures as to the property the United States Government turned over to the State with the Prison, it is assumed that there must have been as much in proportion to the 192 prisoners then confined, as there was to the 536 prisoners on hand June 30th, 1908. In entering the following amounts, it will be noted that the unusual items have been deducted and in very many instances, goods carried in the inventory as necessary to the conduct of the Prison, have been eliminated entirely, always giving the benefit of the doubt to the contractors, as to whether or not similar goods were on hand when they took charge.

Cell Furnishings, Brick Cell Building	\$1079.07	
Cell Furnishings, Stone Cell Building	285.40	
Cell Furnishings, Bldg. No. 3, North Wing.....	66.82	
Furnishings, Building No. 3, North Wing.....	33.34	
Kitchen Equipment, deducting		
Coffee Urn	\$270.00	
Steam Jackets	383.00	
Elevator	65.85	
Milk Cans	38.50	
Canopy	10.00	
	<hr/>	
	\$767.35	566.70

Dining Room Equipment, less Food Warmer, \$241.00	448.91
Furnishings Old Hospital Building	42.26
Furnishings Bunk House, less Closet	\$36.00
Enamel Sink	54.22
Urinal	4.50
	<hr/>
	\$94.72 194.21
Guns and Ammunition, less Metal Case, \$125.00..	346.91
	<hr/>
Total	\$3063.62

Dividing 536 into \$3063.62, 536 representing the number of prisoners on hand June 30th, 1908, we have \$5.71 per capita; taking this as a basis for the furnishings on hand for the 192 prisoners when the State assumed charge of the Penitentiary, the amount would be \$1096.32. The Committee recommends that there be deducted from the total appraisal value of the furnishings at the State Prison, the sum of \$1096.32, representing a credit due the State for prison equipment turned over to Conley & McTague at the time the Federal Government passed control of the Penitentiary to the State of Montana.

We appraise the value of the property owned by the Conley & McTague Company, not situated on State Land, but desirable in connection with the Prison (exclusive of land upon which buildings are located) as follows:

Office Building, on lots 7, 8, 9 and 10, B 54....	\$3619.76
Root House, on Lots 1, B 68.....	1344.04
Stable, on lots 5 and 6, B 68.....	975.00
Store Building, lots 9 and 10, B 61.....	4794.16
Ware House and Shed, on lot 3, B 68.....	149.00
Creamery, on lot 1, B 68	1692.70
Bath House (lot 7, B 68) and outside toilets....	338.94
Trusties Change House, lot 8, B 68.....	300.25
Smoke House, on lot 3, B 68.....	309.80
Small Store House	87.06
Office Equipment	798.36
Office Bed Room Furnishings	53.79
Office Yard Supplies	22.53
Matron's Department furnishings	81.00
Property in store room, etc.....	189.07
	<hr/>
Total	\$14755.46

The Committee respectfully recommends the purchase by the State, of the above named property, from the Conley & McTague Company, at the appraised value.

We have not included the value of land in the above appraisals of buildings, for the reason that in the opinion of the Committee, it would be useless to value such lots at this time in view of the fluctuations in the real estate market and the period that must elapse before recommendations can be submitted to the next Legislature.

The Committee eliminates certain items carried in the Inventory hereinbefore referred to, as being unnecessary, and such items are referred to in detail in the Record Book of the Committee, where will also be found the itemized appraisals of all goods and property. The Committee's Record Book is hereby made a part of this report.

We submit also, as a part of our report, detailed estimates with rough sketches of the various buildings appraised by the Committee.

The Committee recommends the purchase by the State of all the property facing on the Prison grounds, being on the opposite side of the street. The property referred to consists of a house and lots opposite the north end of the State property, the Prison Office and Warden's residence and the grounds in connection with same, the house and land between the Warden's residence and the Store Building and the ground upon which is located any building appraised by the Committee as belonging to the Conley & McTague Company.

The Committee recommends that the State purchase 100 or 200 acres of land within a reasonable distance of the Penitentiary, the same to be used as a vegetable farm in connection with the Prison.

The Committee further recommends that the State contract for water for use of the Penitentiary, with the lowest bidder.

At least two members of the Committee were in favor of and approved the suggestion of the Joint Committee of the last Legislature wherein it was recommended that: "The State being without funds, your Committee urgently recommends the following solution of the dilemma: that

after an appraisal of the property by the Committee, we recommend that the Prison Board at once advertise for bids for the care and maintenance of the convicts of the State for a period of two years, the successful bidder or bidders to pay over to the firm of Conley & McTague the appraised value of their property necessary for the proper conduct of the Prison, and the Prison Board to recommend to the next Legislature a purchase by the State of this property, and the State to then assume control, as it is expected the State Treasury will then be in a condition to meet the necessary demands for additional space and equipment for the State handling of the Institution. The successful bidder or bidders to contract also to care for the over-flow of the prison in a safe and satisfactory manner. In case no bidder or bidders comply with these requirements, then in that event, the Prison Board be authorized to let to Conley & McTague for a term of two years, a contract for the care and maintenance of the State convicts and to provide for the over-flow at a price of five cents advance over the present price of 44.4 cents per day per inmate. Conley & McTague in turn to give free to the State all that property within the Prison walls, at the termination of this contract. It is estimated that this property will inventory in the neighborhood of \$25,000.00, which together with the care of the over-flow, makes this the most desirable method to pursue from a purely practical business point of view." A majority of the Appraisal Committee, however, were of the opinion that the State's best interests would be subserved by a continuance of the present system of conducting the Penitentiary.

The Committee recommends, in view of the crowded condition of the Penitentiary, about one fourth of its population being housed outside the prison walls, that the State proceed at once to enlarge the Penitentiary to suitably meet its requirements. In the opinion of the Committee the present capacity of the prison should be doubled. As a means of temporary employment, convicts could be worked at quarrying stone for new buildings.

While the subject does not properly come within the scope of this Committee's duties, we feel that the ques-

tion of providing the prisoners at the State Prison with some means of employment, should receive the earliest attention. It is undoubtedly inhuman to the convicts and an injustice to society, to confine prisoners and enforce idleness upon them, thereby contributing to insanity, vicious and indolent habits, all conducive to criminality when the prisoners are released. Montana is one of the very few States in the Union not providing regular work for convicts, and this Committee respectfully recommends that the necessary action be taken at once, to provide such employment.

In concluding its report, this Committee desires to express its approbation of the very efficient and able manner in which the Warden of the State Prison, Frank Conley, conducts the affairs of the Penitentiary, combining as he does, rigid discipline and humane treatment for the convicts, with an excellent business administration in the State's interests.

Respectfully submitted,

WILLIAM LINDSAY, Chairman,
HERBERT STRAIN,
TOM D. LOCKMAN,
MARTIN MAGINNIS,
LOUIS HEITMAN,

Prison Appraisal Committee.

Attest:

H. K. HOWRY,
Secretary."

To which report said contractors, Conley & McTague, made certain exceptions in writing, said exceptions being in words and figures as follows, to-wit:

"Deer Lodge, Montana, Nov. 29, 1909.

To the Board of Prison Commissioners for the State of Montana, Helena, Montana.

Sirs—Respectfully referring to the report of the Appraisal Committee, created for the purpose of appraising the property at the State Prison, Deer Lodge, belonging to the Conley & McTague Company and used in the operation of the State Prison, we commend that report for the

conscientious and discriminating judgment exercised by the members of that Committee.

Although we think that the Commission has applied its scale of depreciation somewhat heavily, we accept in the main the appraisement as made by it. It is natural that in some details we should hold views different than those of the Commission.

We particularly regret that the Commission did not, before final conclusion, call us before it for the purpose of reviewing with them the basis of appraisement. We are confident that had we had the opportunity to consider with the commission the appraisement in detail we would have been able to have come to an accord possibly in every detail. It is practically impossible for the Commission to have had that detail knowledge of the property that would have enabled them to have exactly balanced the appraisement of one department to the basis of an appraisement of another department, and on that account a number of discrepancies arise in the report that otherwise possibly would not have appeared.

We particularly request the consideration of the Board to this, that when the State entered into the original contract with Conley & McTague for the care and keep of the prisoners and the maintenance of the Prison there was at that time a prison population of one-hundred and ninety-two, which population during the contract period of Conley & McTague increased to five-hundred and thirty-six. The Conley & McTague Contract was a contract to operate an established prison, and in no wise was it a contract to construct a prison. A prison plant that would accommodate a hundred and ninety-two prisoners would not accommodate a prison population of five-hundred and thirty-six, consequently during the contract period extensive additions to the prison plant were necessary. In the main, the additions to the plant were provided for by legislative appropriations, but minor extensions becoming imperative in the intersessions of the Legislature and for want of funds at the command of the Board for that purpose, such extensions or additions were installed and paid for by Conley & McTague. The property that is a part of plant creation and plant constructions is a class of

itself, which should be treated entirely different than that property which was bought for and used in the operation of the contract. This the Appraisal Committee recognized to a certain extent in that they appraised such property upon a par or near to a par basis, but as the amount of money spent in such additions and extensions represents an advancement to the State for State purposes, such property should not only be inventoried at par, but in addition thereto for the use of the money so spent, the Board should offset to a certain extent the depreciation applied to that property used in the operation of the contract.

We have attached hereto a memorandum of that property that was purchased for plant construction and which represent an investment on State account. We also attach hereto a memorandum of comments upon the appraisalment.

Respectfully submitted,

CONLEY & McTAGUE."

The statement or memorandum of comments upon the appraisalment referred to in the above communication is somewhat lengthy, and consists of a large number of tabulated figures. It is not thought necessary to set same forth herein at length, but it will be found on file in the office of the clerk of this Board and may be inspected and examined by persons interested.

After fully considering the subject, the Board determined not to return to the contract system, and on the 29th day of November, 1910, again leased the Conley & McTague Company's property.. The Contract system in accordance with the recommendations of the Committee of the last Assembly did not seem practicable, desirable or consistent with the provisions of the Constitution and law.

Employment of Prisoners.

The State now has under its charge and control by virtue of legal commitments from the various courts of the State approximately six hundred and fifty prisoners, and at this time the State has cell room accomodations for but four hundred seventy-four (474) prisoners.

The Eleventh Legislative Assembly duly and regularly adopted House Joint Resolution No. 6, which was approved March 6, 1909, and appears at page 388 of the Laws of 1909, and reads as follows:

“WHEREAS, It appears contrary to the best interest of society and to the State of Montana that the prisoners confined in the State Prison should not be Engaged in Some Sort of Work or Employment; and,

WHEREAS, If such prisoners were given suitable work or employment during their period of imprisonment it would tend greatly to their reformation and be conducive not only to the welfare of such prisoners but also that of society at large; and,

WHEREAS, If said prisoners are given suitable work and employment of some kind the same would give the State a source of revenue and thus greatly reduce, if not altogether pay, the fixed charges and expense for the maintenance of the said State Prison, with the resulting relief and benefit to the taxpayers,

NOW, THEREFORE, BE IT RESOLVED, That the Senate concurring, that the State Board of Prison Commissioners be instructed and directed to devise ways and means and make provision for the manufacture of binding twine, jute, and burlap bagging and bags by the prisoners confined in the State Prison, and that any employment or work so furnished shall not in any manner interfere with or enter into competition with organized labor in the State of Montana.”

In view of the report of the special committee to investigate and report concerning the conditions at the State Prison and the values of prison property belonging to Conley & McTague, and its recommendations concerning the employment of prisoners, and the terms of said joint resolution; and the further fact that there were in the neighborhood of 200 more prisoners committed to the state prison and held in custody thereat than there were accommodations, this Board was confronted with the immediate necessity of providing means for the care and maintenance of such excess number of prisoners

with an available appropriation wholly inadequate to provide additional walls or buildings. After full and careful examination and inquiry respecting conditions existing at the prison, and the disposition of the prisoners respecting labor, it was by the Board unanimously determined to make selection of a number of them to be placed at work as trustees at some suitable employment beneficial to the state at large and calculated to aid in the health and reformation of those who were unfortunate enough to have been committed to the State's custody as prisoners. The subject was thoroughly considered by the Board before any action was taken, and the methods in vogue in other states thoroughly investigated and considered, both as a result of correspondence and personal inspection.

It was not and has not been the object or intention of the Board in the performance of duty devolving upon it by the terms of the Constitution and provisions of the law, to place these prisoners in competition with organized labor, but rather to provide for them such employment as would be beneficial to their general health and welfare, and of benefit to the people of the State without coming in competition with free labor.

The work which has been done by prisoners in this state, and which is hereinafter specifically referred to, is, in the judgment of the Board, of such character that it could not have been done during this or the next generation at all, were it not for the employment of prisoners. Again, the character of the work and labor which has to date been performed is of lasting benefit and advantage; has tended greatly to the up-building of the state, and the laboring man and his family, as well as other citizens, are the beneficiaries.

In the summer of 1909, this Board visited the state prison of Washington, located at Walla Walla, and there had the opportunity and advantage of investigating their system and methods of operating and conducting the state prison and the employment of prisoners. At that prison they have a large jute mill, which furnishes employment for about 400 men, and gives

to the farmers of the State of Washington the right to be supplied direct from the prison with grain and wool sacks there manufactured at a small profit. The number of sacks manufactured, while not being sufficient to supply the demands of the people of Washington, yet because of the small margin of profit collected by the state, this industry has great effect in regulating the price at which such commodities are furnished to the people by the trusts. This method of employment of the prisoners in the State of Washington, not only makes its prison self-supporting, but it is in addition of much benefit to the people and of aid to the prisoners in bringing about reformation. In that state prisoners are also employed in the construction of public highways, but at the time of the visit of this Board to that prison, said work had not progressed to an extent sufficient to give this Board any practical ideas or suggestions upon the subject.

The Governor and Attorney General, as members of this Board, in January, 1910, visited the State Prison at Stillwater, Minn., for the purpose of making similar investigation and inquiry, and thereafter made written report as follows:

"January 27th, 1910.

The State Board of Prison Commissioners,
Helena, Montana.

Gentlemen—Pursuant to your direction we visited the state prison of the state of Minnesota, located at Stillwater, on Sunday, the 23rd day of January, 1910. The warden of the penitentiary, Mr. Henry Wolfer, extended to us every facility for examining the prison and their various industries connected therewith. We examined very carefully, and in detail, the binding twine plant, located at both the old and the new prison, as this was the matter in which our board is chiefly interested. In the old prison they have installed and are using about 375 spindles, while in the new prison they have installed and are using 125 spindles. This furnishes employment in all for approximately 350 men.

From data submitted to us the binding twine industry has been a very profitable one for the state of Minnesota,

and the state prison has been a source of revenue over and above the cost of maintenance of the state prison.

The prisoners are employed in this institution in the making of shoes, farm machinery and binding twine. In the binding twine industry alone the net profit yielded from 1891 to 1909, inclusive, has amounted to the sum of \$1,447,702.07, and for the past two years, the sum of \$306,000.00.

The twine industry is charged with the cost of the labor at the rate of \$0.65 per day for each convict employed. The cost of keeping the convicts thus employed is paid and the profit above named obtained.

From our examination of the binding twine plant at the new prison, and from conversation had with the warden, we are of the opinion that a suitable plant can be installed in the state of Montana at a cost of not exceeding \$70,000.00; \$20,000.00 for the building, provided same is constructed by prison labor, and \$50,000.00 for all necessary machinery. The building should be two stories and approximately 86 by 120 feet, with plenty of light and ventilation. There should be erected in connection with the building a single-story warehouse of approximately one hundred and twenty feet square.

In order to get the material on hand for manufacturing purposes, and to start the work in a businesslike manner, in addition to the money necessary for buildings and machinery, we are of the opinion that there should be provided a fund of at least \$200,000.00 additional for the purchase of necessary raw material.

We are favorably impressed with the binding twine industry, but greatly surprised at the amount of machinery necessary and the money required for the purchase of material.

When the board is ready to prepare a report to the Legislative Assembly, we will give you more details, so as to enable you to make full and complete report.

We hand you herewith for your consideration the last report of the warden of the prison, covering all items of interest in connection with the manufactures conducted at the prison, and all other matters pertaining to the prison. We also hand you a Hand Book respecting the Minnesota

state prison, the industries, etc., all of which will be found of interest and contain much general information of benefit.

Respectfully submitted,

EDWIN L. NORRIS,

Governor.

ALBERT J. GALEN,

Attorney General."

Subsequently the Secretary of State visited the state prisons of the states of Wisconsin and North Dakota concerning the same subject, and thereafter he submitted and filed his written report on the subject, as follows:

"Helena, Montana, April 11th, 1910.

To the State Board of Prison Commissioners,

Helena, Montana.

Gentlemen—Pursuant to your instructions, I visited the State Prison at Waupun, Wisconsin, on Tuesday, March 22nd. Every courtesy possible was extended by the warden, Henry Town. We spent several hours looking over the buildings and workshops. The prison is well taken care of, the cells of the prison are models of convenience and cleanliness. Only one prisoner in each cell and each cell has a toilet. They have 768 inmates and of this number not one is idle except those on the sick list.

The principal occupation is making stockings; all kinds of stockings, for ladies, men and children. It takes an enormous amount of machinery and at the same time there is lots of hand work so that a great number of convicts are employed. In fact, it gives work to a larger number of men for a given amount of machinery than anything else I have seen.

The state furnishes the buildings, machinery power and guards then leases the plant and prisoners at so much per head to the company, who furnishes the money and material to make the stockings and markets the product. A task is set for each person and if he exceeds the amount allotted to him, he is paid for the over work. The plant is not on a paying basis. I was told it was more the object of the management to give the prisoners something to do and better their condition, than to make a profit.

Mr. Town, the warden, thought there was a good opening for some prison to make brushes. Most of this work is hand work and would give a large amount of work for the machinery required. It seemed as though they did not care to tell the cost, or probable cost of their machinery and there was no prison report available.

On the 26th day of March I visited the State prison at Bismarck, N. D. On account of the train being behind time I did not reach the prison until after 3 o'clock p. m. but the warden, F. O. Hellstrom, was very pleasant and kindly showed me over the entire plant.

The North Dakota prison has a population of only 219. The main industry is a twine plant of 120 spindles. There was a lot of machinery installed at approximately \$50,000. About \$200,000 being required to buy fibre and carry the stock until sold, as sales are only made and products delivered during a few months in the summer. This plant, however, last year after deducting all expenses, including interest on the \$200,000 invested in stock, netted \$10,000.

Convicts are also worked in a brick yard. These bricks are sold in the city of Bismarck and throughout the state at \$7.00 and \$8.00 per thousand.

They also have a shoe and tailor shop in which all shoes and clothing are made, not only for the prison garb but for those leaving the prison. I inspected some of the clothing, it was well made and looked well and I was told it cost the institution just \$4.50 per suit and the shoes cost \$1.50 per pair.

They also have a harness shop where all harnesses and repairs are made that are used on the farms of the institution.

They have a large ranch on which hogs, cattle, vegetables and grain are raised.

To take it in all, I think the North Dakota prison is the best equipped of any of the prisons I have seen. It furnishes labor to all the prisoners and is more self sustaining.

Like Wisconsin, Dakota had no late report but I was handed a financial statement of last year's work and also rules and regulations of the North Dakota Board of Prison

Experts, which I have in my office and will be pleased to furnish a copy to each member of the Board.

Very respectfully yours,

A. N. YODER,

Member Board of Prison Commissioners."

Considerable correspondence, reports and statements were received from the various states concerning the methods of employment of prisoners, and particularly with reference to construction of public highways, with convict labor, all of which tended to give the Board encouragement in an effort in this direction; and among other communications received upon this subject tending to show the success and benefits resulting from the use of state prisoners in road building, is the following letter from Thos. J. Tynan, warden of the Colorado State Prison, which is as follows:

"Colorado State Penitentiary,

Canon City, Colo., December 1, 1910.

Mr. Frank Conley, Warden, Montana State Prison, Deer Lodge Montana:

My Dear Sir—I am in receipt of your letter of the 16th instant asking information concerning the equipment of one hundred men for road work, and saying that you are going to put that number of your men to work in the Spring.

This is a class of work for prisoners I am especially interested in as I think it is the best method, so far as known, for testing their honor and making them feel the strength of true manhood, and I sincerely hope you will be successful in your venture. I am always very careful in the selection of men for this work, and whether it is that I have been unusually fortunate or not, I do not know, but I do know that I very rarely have a man break faith with me. I try to make him feel that he is trusted and then strive to avoid arousing bitter suspicions by not letting him see that he is watched; but of course you will understand that I exact of my overseers a vigilant eye and attention at all times, and when a prisoner seems to be losing a grip on himself I have him brought back to the prison, without, however, assigning such a reason to him. I merely mention this as a part of my method and not as advising you

what to do, for as to that, there is no one who can be so good a judge as yourself.

Now in regard to the work, it will cost you at least five thousand dollars for an equipment for one hundred men. The nature of the equipment will depend very largely on the nature of the soil you intend to work. If it is level prairie land you will need more plows than you would in a rocky region. Your equipment would consist of plows, scrapers, wagons, teams, picks, shovels, drills, hammers, horses, tents, beds and bedding, a range and cooking utensils, and sufficient good clothing to keep your men warm and contented. I think you would need at least thirty horses to be used for different purposes, and you could keep two teams well employed bringing in wood. The number of your tents would depend upon the number of men you place in them. I house only six or eight men in a tent; and then you would need tents for your horses also. I think that fifty drills would be sufficient, and a dozen sledge hammers and striking hammers together, for striking and breaking rock. You would also need powder and fuse for blasting if you work in a rocky country where blasting is necessary. Plows and scrapers would depend upon the soil—the less blasting and drilling the more plows and scrapers you would need. I provide my men for the winter with heavy duck coats, blanket lined, and with good gloves and Arctic overshoes, and I also give them extra privileges in the way of writing and amusing themselves, as well as food that is better than the prison fare and more plentiful. It will be essential to your success to select a superintendent or an overseer to put in charge of the work, on whom you can depend both for honesty and just dealing with the men. If such a man can inspire them with confidence in him, the prisoners will do their work and live up to their bargain with you. Malcontents and agitators I instantly bring back to the prison, and I am very glad to say that both my camps are working nicely and that there is harmony in each.

However, I wish to say in conclusion that if you have nothing to offer your men in the way of extra good time, that it will be quite a venture to put them to work in the way you contemplate. The men at work on public high-

ways in this State are given ten days extra time for every month so employed, and I would suggest that if you have no such law on your statute books that you have one passed before you commence your road work, unless of course, you intend to employ armed guards, which is not done here.

Any further information I can give you along these lines, I will be pleased to give you at any time.

Very truly yours,

THOS. J. TYNAN,
Warden."

After thoroughly considering the subject, and in view of the conditions existing at the state prison heretofore alluded to, this Board unanimously determined on April 27th, 1910, to put a number of prisoners to work as trustees in the construction of certain public roads, brick making, and in the building of a dam and power transmission plant on Race Track Creek for the purpose of developing power for manufacturing purposes at the state prison, and to supply this institution, and perchance at a later date, the State Insane Asylum at Warm Springs, with power, water and lights. It was and is intended to use the brick manufactured solely in the construction of additional buildings at the prison. The order at that time duly and regularly made and entered upon the subject, being in words and figures as follows, to-wit:

"IN RE EMPLOYMENT OF PRISONERS:

Order.

WHEREAS, The State Board of Prison Commissioners is of opinion that it is for the best interests of the State of Montana, and of the prisoners confined in the State Prison at Deer Lodge, Montana, to work a number of the prisoners within the prison walls or in stockades contiguous to the prison walls in the making of brick to be used in buildings hereafter to be erected on the ground for state purposes in connection with the prison; and,

WHEREAS, It is also desirable in the opinion of the board that a certain number of the prisoners be put to work in the construction of a dam and power transmission line

on Race Track Creek to be used for the development and transmission of power to the state prison; and,

WHEREAS, In the opinion of the board it is also to the best interests of the state and the prisoners that a number of them should be employed in the building of public highways; and,

WHEREAS, All such work is of great benefit and profit to the state:

NOW, THEREFORE, Pursuant to the provisions of Section 9729 of the Revised Codes of 1907, the Warden of the State Prison, Frank Conley, is hereby ordered to place such number of prisoners now confined in the state prison, at work, under proper guard, as in his judgment is necessary and desirable for the proper performance of the work hereinabove indicated."

Within a few days after making said order, the board modified its rules respecting the granting of paroles to prisoners, and provided that for the future no parole should be granted, save and except upon the recommendation of the Warden. In addition, by way of encouragement to the prisoners for good conduct, obedience to the rules and efficient labor, a regulation was passed and adopted allowing each prisoner ten days good time allowance on each and every month that he is employed as a trusty on the outside of the prison walls and is obedient to the rules. These regulations were made in order to encourage the prisoners in their work and with a view of obtaining better results; and up to this time said regulations have operated with uniform satisfaction.

After the making of the order above referred to, about forty of the prisoners were put to work on Race Track Creek in the construction of a ditch in connection with the proposed power dam site hereinbefore referred to, and about sixty men were put to work in the construction of a public highway leading from the city limits of Deer Lodge on the road towards the city of Helena. The road in the direction of Helena was constructed in a workman-like and substantial manner for a distance of about three miles; and thereafter this particular road building

crew turned their attention to the construction of the road from the city limits of Deer Lodge to the town of Garrison, which road is now fully built and will be of lasting benefit and advantage to Powell County. It is a first class boulevard provided for said county with state aid through prison labor, instead of the rocky, swampy, poorly-graded public highway over which persons, theretofore, were compelled to travel.

The prisoners put to work on Race Track Creek in the construction of the ditch above referred to, having completed all of the work which state appropriations would permit of for the year 1910, were on or about the 20th day of July, 1910, together with some additional men, making a crew of about fifty-five in all, moved to the State Fair Grounds near Helena, with the idea in view of constructing a boulevard leading from the city of Helena to the State Fair Grounds. This project received encouragement from the Helena Commercial Club and the Board of County Commissioners of Lewis and Clark county; and the only reason that it was not completed was that this Board was not given the financial support promised and expected.

During the time that the prisoners were so employed in improvement of the State Fair Ground road and approach to fair grounds, on the 26th day of July, 1910, a committee representing the Silver Bow County and City of Helena Trades and Labor Assembly, waited upon this board, making protestations against the employment of convicts in any capacity, and after hearing the Board addressed to said Committee a communication defining its position in the premises, which is in words and figures as follows, to-wit:

“Helena, Mont., July 30, 1910

Mr. M. M. Donohue, President Montana Federation of Labor; Messrs. O. M. Partelow, E. R. Torrey, J. H. Rooney, representing the Silver Bow Trades and Labor Assembly; Messrs. J. H. Philips, C. J. Jordan and M. H. Corbett, representing the Helena Trades and Labor Assembly.

Gentlemen—In accordance with an appointment made

by the Secretary of the Helena Trades and Labor Assembly, you as representatives of organized labor conferred with the State Board of Prison Commissioners at the Capitol on July 26th.

The purpose of the conference, as stated by you, was to notify the Board of Prison Commissioners that organized labor in Montana is unalterably opposed to the employment of convicts in building roads or in any other class of work outside the prison walls.

You further stated during the conference that you desired to ascertain how the prisoners were now and had been heretofore employed, and to know the plans and purposes of the Board as to the future employment of the convicts.

You were informed by the Board that the convicts had heretofore been and were now being employed as follows:

About fifty men are building a permanent highway leading from the north limits of the city of Deer Lodge in a northerly direction and branching towards Helena and Garrison;

Forty men are employed in making brick on the prison grounds, the brick to be used in the construction of additions to the prison plant;

A number are now cultivating crops of vegetables, upon ground rented by the state, for use in feeding the convicts only.

About forty men have heretofore been engaged for a period of two months in digging a ditch on Race Track Creek to be used in the development of electric power for prison purposes and possibly for uses at the asylum for the insane at Warm Springs, should the state ever acquire that institution.

The work of completing the ditch was completed last week and the convicts thus employed were moved to Helena with a view to their use in building an adequate highway upon ground owned by the state, from the south side of the Great Northern right-of-way, to the state fair gate, for the accommodation of those attending the state fair, thus to aid and assist a great state institution and afford both safety and pleasure to state fair visitors.

A further statement was made that there was no addi-

tional employment of convicts other than for strictly prison purposes at the prison.

The reasons given for the actions heretofore taken by the Board were:

That there is cell room at the prison for only 474 inmates, that the number of prisoners confined on April 1st was 639.

That on April 1st the Conley & McTague ranch changed hands and disposition had to be made of the prisoners heretofore cared for there, and that the Board was under the imperative necessity of making some disposal of the prisoners over and above the capacity of the prison.

Your attention was called to the fact that idleness has caused physical and mental diseases to extensively develop among the prisoners and did not tend to their reformation, which is one of the main features sought to be accomplished by their punishment.

The law authorizing the employment of convicts at any kind of labor, provided their services are not contracted, was referred to; Section 9382 of the Revised Statutes, wherein it is provided that all prisoners convicted of a felony must be by the Courts sentenced to hard labor, was cited, and your attention was called to the fact that the Board was required by law and a sense of humanity to provide work for the prisoners.

Previous to commencement of work on the road at Deer Lodge, it was ascertained that Powell County was not intending to improve the road above referred as being now in process of construction, and in fact the information was conveyed that it was not in a financial condition to do so; hence it was concluded that no free laborer was deprived of employment, either present or prospective.

You were further informed that the members of this Board would consult in reference to its future plans and communicate to you in writing any decision that might be reached.

Now, after consultation and thorough consideration, you are informed that as long as the conditions remain as at present, and in view of the mandatory provisions of the law requiring that convicts, be sentenced to hard labor; considering the advisability of protecting the health and as far

as may be encompassing the reformation of prisoners, and because of the inadequacy of the state prison to accommodate the persons now sentenced thereto, it is the purpose and plan of the Board to work the prisoners:

1. In building permanent tonnage highways wherever satisfactory facilities and materials are furnished for the purpose without expense to the state.

2. In raising such vegetables as can be profitably grown for their subsistence.

3. In making materials for and in the construction of buildings for prison purposes.

4. In the construction and operation of a plant or plants on the prison grounds for manufacturing binding twine and possibly grain and wool sacks.

5. And in the performance of such labor at the prison as may be necessary for prison purposes.

It is not the plan or purpose of the Board to use the convicts for building or repairing streets of incorporated cities or towns, or for any purpose other than above outlined.

According to our understanding, organized labor does not object so much to working convicts on the roads as to the fact that such use may serve as an entering wedge to other employments. Under the present laws, state prisoners may be employed by the state at anything for the use and benefit of the state and for the prison support. It has not been the intention of this Board to work the convicts for any purpose other than those hereinbefore mentioned, but we cannot answer for what future Boards may see fit to do.

It is our desire to be fair, just and reasonable to all persons and at the same time perform our duty as we see it. In every instance where we have put prisoners to work we have considered the subject carefully and particularly in reference to interference with free labor. We feel that we have been considerate of your interests, and that in our actions we have given demonstrations thereof, especially so when methods in sister states are considered. The plans we have outlined we believe least objectionable to free labor, and at the same time beneficial to the prisoner and tax-payer; and if you will co-operate with this Board it will

gladly co-operate with you in an endeavor to secure an amendment of the present laws which will provide that the convicts may be employed only for the purposes herein before named as being in the present plans of the Board to employ them, and for no other purpose or purposes whatsoever. If organized labor will co-operate with us, it is confidently believed that such an amendment can be secured.

Since our conference on Tuesday, plans for the building of a highway to the state fair grounds have been further discussed and considered, and it now seems likely that the highway will be built. If so it will be upon grounds owned or controlled by the state and no city street or alley will form part of it. No work will be undertaken inside the fair grounds, nor will anything be done other than relates strictly to the building of the road in question.

Negotiations are now under consideration looking to the building of a highway in Hellgate Canyon. While the details have not been completed, it now seems possible that such a road will be constructed.

While employed outside the prison walls the convicts are under the care of unarmed guards and no shackles are placed on the men during their term of service on outside work. The ball and chain are not needed and neither are steel-cages. The only punishment visited upon the prisoner who violates a rule is the return to the prison, his place being filled by another who is willing to observe the rules and by this outside work earn the good time made possible under the prison regulations. The Board has found that this system of employing the men has operated excellently, and at a minimum expense, that there are always many prisoners anxious to be placed on the outside crews, where they find some employment for both brain and brawn.

It may be that other propositions for the building of roads in different sections will be from time to time submitted, but it is not the purpose of the Board to undertake the construction of any highway where ample facilities and materials are not furnished nor will the Board undertake the construction of any road which the county contemplates building.

We submit to organized labor for its consideration the advisability of fair co-operation to the end that laws may be enacted relating to convict labor as outlined in this communication, and thus forever insuring that convicts will not be employed on any work that will materially interfere with free labor.

We desire to express to the representatives of organized labor attending the conference our appreciation of the very frank and fair statements made by them, and hereby extend a general invitation to at any and all times confer with us.

Yours truly,

STATE BOARD OF PRISON COMMISSIONERS

By EDWIN L. NORRIS,

President.

ALBERT J. GALEN,

A. N. YODER,

Secretary."

Subsequently and on or about the 20th day of August, 1910, the prison crew stationed at the State Fair Grounds was moved to the Hellgate Canyon in Granite and Missoula counties, where they have ever since been engaged in the construction of a public highway, affording opportunity for the traveling public to go by team or other vehicle in direct route from Garrison to Missoula, and vice versa, without the necessity of traveling thirty-five to forty miles out of a direct line as was theretofore necessitated because of the impassibility of this canyon. This road is now nearing completion and will be of lasting benefit and advantage to Missoula and Granite counties and to the people of the state at large; and independent of State aid it could not possibly have been constructed with the finances of said counties available for road purposes.

During the summer there have been about four millions of brick made within the prison walls, which brick is now stored and ready for future use in the construction of additions to the state prison, or in the building of a manufacturing plant; and this too will be found not only beneficial but a considerable saving to the state.

In addition to other work above mentioned, a considerable quantity of potatoes and other vegetables have been grown by the prisoners for use at the prison.

Under the new system the general health of prisoners has been bettered, and they have exhibited a less restless spirit and their morals have been greatly improved.

The trusty system which has been inaugurated in the working of prisoners outside the walls gives one more confidence in humanity, and certainly must prove beneficial and encouraging to individual prisoners. Escapes have been very few, and it has been found unnecessary to arm the guards with shotguns, or other arms, manacle the men, or to house them at night in steel or other cages.

Our investigation shows that in some of our sister states, steel cages and shotguns have been in use, and that in consequence the expense of maintenance of the prisoners has been greater, and results not near so good. It is surprising to know that experience has taught us in this state that sixty prisoners can be safely placed at work upon a public highway, housed at night in a tent, and that when treated like men and placed upon their honor and compelled to strictly abide by rules and regulations prescribed for their conduct, that three unarmed guards at most are sufficient for all purposes. The expense of feeding, clothing and housing a prisoner on the outside is very little greater than when he is kept within the prison walls, and practically the only additional cost incident to such manner of keeping and caring for him, is the small pro-rate charge per capita incident to extra guard hire.

Based upon observation and experience, it is the judgment of the board that prisoners should not be kept in idleness, and that the furnishing of employment to them is not only humanitarian but beneficial to society at large. It is beyond comprehension to expect reformation by keeping men for indefinite periods of time in idleness, and among evil associates, and then turn them loose upon society, softened in flesh and mind, hard-

ened in nature, and carrying the handicap incident to conviction for felony, with the expectation that as a result of their punishment they will thereafter be able to cope with their fellow-men and become good and useful citizens.

BINDING TWINE.

Further, on the subject of the manufacture of binding twine, the following communication from H. K. Howry, Secretary of the Prison Appraisal Committee, giving the result of his investigation of the subject will be found interesting and instructive:

“Helena, Montana, July 26th, 1909.

Honorable William Lindsay, Honorable Martin Maginnis, Honorable Louis Heitman, Honorable Herbert Strain, Honorable Tom D. Lockman, Constituting Prison Appraisal Committee:

Gentlemen—The investigation made by this Committee, at the request of the State Board of Prison Commissioners, into the manufacture of binding twine by convicts confined in state penitentiaries, shows that the industry is used as a means of employment by Indiana, Kansas, Minnesota, Michigan, North Dakota and Missouri, while the state of Washington employs her convicts in the manufacture of jute bags; the production of binding twine and jute bags, as mentioned, being entirely for state account and sales of the products being made in the open market.

The profits derived by the different states engaged in this industry, vary considerably, dependent no doubt upon the amount of twine used in the respective states and the ability to ship into other territory, in competition with outside manufacturers, chief among which is the International Harvester Company, commonly known as the Harvester Trust.

Minnesota being large consumer of binding twine, leads in profits, and expects to manufacture sixteen million pounds of twine this season, with a profit of \$200,000.00 to the state. The Prison Department of Minnesota has a credit with the State Treasurer of \$1,250,000.00, the greater portion of which amount has been made in the manufacture of binding twine during the past five years.

Indiana for the years 1907 and 1908 derived a net profit of \$19,456.00 and \$10,858.00, respectively. The report of the Indiana Prison Board states: 'While the earnings of the plant have not been as large as the Board anticipated, due to competition and the unsettled condition of the sisal market, yet the Board points with pride to the fact that since the creation of this industry in the state, there has been a marked reduction in the price of twine per pound, and thereby a saving of several hundred thousand dollars made in this item alone to the consumers in Indiana.' Indiana has \$200,00.00 appropriated by the legislature for binding twine plant and revolving fund.

Michigan, for 1908, operating 85 days, made a net profit of \$12,650.00 on its twine plant and claims a reduction through competition thus brought into the market, of 2 cents per pound on twine and a consequent saving to Michigan farmers of \$240,000.00 as a result of the 85 days operation of the State Penitentiary Binding Twine Plant. Michigan's appropriation was \$50,000.00 for plant and \$125,000.00 for revolving fund, the last legislature having been asked to increase the latter amount to a total of \$200,000.00.

Kansas for the years 1907 and 1908 made respective net profits of \$9,617.00 and \$2,857.00 on its binding twine plant operated by convicts, the small profit for 1908 being explained that owing to great crop losses by freshets and floods, one-half million pounds of twine that would have otherwise been marketed, had to be carried over to next season. Kansas has a plant investment of \$58,000.00 and there is a revolving fund of \$230,000.00 made up of \$150,000.00 appropriated by the legislature and about \$80,000.00 added by profits of the industry, which was inaugurated in 1899. Those in charge, claim a very considerable reduction in the price of binding twine to the farmers of Kansas since the installation of the plant.

Missouri has a binding twine plant put up at a cost of \$35,000.00 and the Warden of the State Penitentiary, in a letter addressed to the Committee, advises: "It does not and never has yielded any profit on amount invested * * * * * to my mind the only good purpose subserved is an indirect benefit derived by the farmers." Since prison manufactured twine was introduced in Missouri, the price has declined from 14 cents to 7½ cents

per pound. It is hardly probable, however, that all of this decline is attributed to the competition of the penitentiary made commodity, binding twine being generally lower throughout the country.

In Washington, the plant for the manufacture of jute bags by convicts, cost \$250,000.00 and the output this year will be 3,000,000 bags, but so far, we have been unable to secure any detailed data as to costs, profits, etc.

Owing to the fact that all fibres, including manila, sisal, New Zealand and others, used in the manufacture of binding twine, are cash when bought, and as the finished product is sold to dealers and farmers on time—pending the harvesting of crops—and further because the fibre market is a constantly fluctuating one, with very considerable differences between extremes, so that the raw material bought at the right time in itself produces a profit, all states engaged in the manufacture of binding twine have found it a great advantage, if not entirely necessary, to have a liberal revolving fund for purchase and the general conduct of the business.

I have secured a list of the principal reliable dealers in fibres and am now in correspondence with these concerns regarding materials.

It has been impossible, up to this time, to hear from all the states as to whether or not they are engaged in the manufacture of prison made binding twine, although I have addressed two and in some cases three letters of inquiry to such states. Replies are coming in daily, however, and I hope to complete the list by the time the work of the Committee is finished.

For the use of the Committee, and believing that it will be interesting data to turn over to the Board of Prison Commissioners, I have prepared a chart showing the class of employment for convicts, provided by various states, so far as we have been able to ascertain. The chart serves the purpose of giving this information at a glance and will consequently save the time of the Committee in going through a large correspondence and the reading of many reports.

Faithfully yours,

H. K. HOWRY,

Secretary."

The files and records of the Board will more fully disclose all of the facts and suggestions herein contained, both with reference to the rights of the former prison contractors, Conley & McTague, and the subject of employment of prisoners.

The records concerning the proposed Power Transmission Plant on Race Track Creek are especially called to your attention because of its importance and value as a lasting heritage to the Government of this State.

RECOMMENDATIONS.

In conclusion it is respectfully recommended by this Board:

First—That a Bill be introduced and passed appropriating money from the general fund to pay the former contractors, Conley & McTague Company, the amount reported by the Prison Appraisal Committee to be due and owing for the reasonable value of property taken over and now used by the state at the prison, belonging to said former contractors.

Second—That a Bill be introduced and passed appropriating the money necessary for the completion of the Power Transmission Plant on Race Track Creek, the erection and construction of additional walls, cell houses, and for the building of a manufacturing plant.

Third—That the matter of the conduct of the state prison be earnestly and seriously considered by you, and that the need of any further and additional appropriations or legislation for the proper conduct of this institution be by you considered.

Respectfully submitted,

STATE BOARD OF PRISON COMMISSIONERS.

By EDWIN L. NORRIS, Governor,

President.

AIBERT J. GALEN.

A. N. YODER, Secretary.

